

Conference Report directs the Coast Guard to conduct an assessment of progress to replace single hull tankers with double hull ships (p. 14) (Authorizing provision not included in either bill).

Acquisition, construction, and improvements

Bill language earmarks \$5,800,000 to be transferred from the Coast Guard to the City of Homer, AK, for the construction of a municipal pier and other harbor improvements. (Not requested).

Conference Report earmarks \$1,000,000 for Helipad modernization in Craig, AK (not requested).

Alteration of bridges

The FY 2001 Budget Request proposed that funding for this account be provided out of the FHWA's discretionary bridge program instead of the Coast Guard's budget. This account was authorized by the last Coast Guard Authorization bill (FY 98). Conference report provides \$15.5 million to repair 6 bridges under the Truman-Hobbs Act. The report earmarks \$3,000,000 for the Sidney Lanier highway bridge in Brunswick, GA; \$3,000,000 for the E&J railroad bridge in Morris, IL; \$2,000,000 for the John F. Limehouse bridge in Charleston, SC; \$3,000,000 for the Fourteen Mile Bridge in Mobile, AL; \$3,925,000 for the Florida Avenue bridge in New Orleans, LA; and \$575,000 for the Fox River Bridge in Oshkosh, WI. (Not requested).

General provisions

Sec. 382 prohibits funds to be used to adjust the boundary of the Point Retreat Light Station currently under lease to the Alaska lighthouse Association. (This provision conveys to the lighthouse association approximately an additional 1500 acres of land currently held by the U.S. Forest Service).

NATIONAL HIGHWAY TRAFFIC SAFETY
ADMINISTRATION

Operations and research

Prohibits funds from being used to plan, finalize, or implement any rulemaking for any requirement pertaining to a grading standard that is different from the three standards (treadwear, traction, and temperature resistance) already in effect. (Included since FY 1996); and

Requires an NAS study on the static stability factor test versus a test with rollover metrics based on dynamic driving conditions that may induce rollovers (but allows NHTSA to continue to move forward with the rollover rating proposal during the NAS study).

Conference report earmarks \$750,000 for the Brain Trauma Foundation to continue phase three of the guidelines for pre-hospital management of traumatic brain injury.

Conference report earmarks \$750,000 for an aggressive driving program in Maryland, Virginia, and D.C. as specified in the House report.

Conference report earmarks \$250,000 to the University of Vermont's College of Medicine and Fletcher Allen Health Care for advance mobile video telecommunications links in rural areas.

Conference report earmarks \$500,000 to continue a project at the University of South Alabama on rural vehicular trauma victims, as proposed by the Senate.

Conference report earmarks \$250,000, within contract funds, to Mercer University Research Center for a school bus safety initiative, as proposed by the Senate.

Conference report earmarks \$1,000,000 to the Injury Control Research Center at the University of Alabama for research on cervical spine and paralyzing neck injuries from motor vehicle accidents.

Conference report prohibits the use of funds to prepare, prescribe, or promulgate different CAFE standards.

The PRESIDING OFFICER. The question is on agreeing to the conference report. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Missouri (Mr. BOND), the Senator from Colorado (Mr. CAMPBELL), the Senator from Wyoming (Mr. ENZI), the Senator from Arizona (Mr. KYL), and the Senator from Alaska (Mr. MURKOWSKI), are necessarily absent.

Mr. REID. I announce that the Senator from California (Mr. BOXER), the Senator from North Dakota (Mr. DORGAN), the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota (Mr. DORGAN), the Senator from Illinois (Mr. DURBIN), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Washington (Mrs. MURRAY) would each vote "aye."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 78, nays 10, as follow:

[Rollcall Vote No. 267 Leg.]

YEAS—78

Abraham	Frist	Mack
Akaka	Gorton	McConnell
Ashcroft	Grams	Mikulski
Bayh	Grassley	Miller
Bennett	Gregg	Moynihan
Biden	Hagel	Reed
Bingaman	Harkin	Reid
Breaux	Hatch	Robb
Brownback	Helms	Roberts
Bryan	Hollings	Rockefeller
Bunning	Hutchinson	Roth
Burns	Hutchison	Santorum
Byrd	Inhofe	Sarbanes
Chafee, L.	Inouye	Schumer
Cleland	Jeffords	Sessions
Cochran	Johnson	Shelby
Collins	Kerrey	Smith (OR)
Conrad	Kerry	Snowe
Craig	Kohl	Specter
Crapo	Landrieu	Stevens
Daschle	Lautenberg	Thompson
DeWine	Leahy	Thurmond
Dodd	Levin	Torricelli
Domenici	Lincoln	Warner
Edwards	Lott	Wellstone
Fitzgerald	Lugar	Wyden

NAYS—10

Allard	Gramm	Thomas
Baucus	McCain	Voinovich
Feingold	Nickles	
Graham	Smith (NH)	

NOT VOTING—12

Bond	Durbin	Kyl
Boxer	Enzi	Lieberman
Campbell	Feinstein	Murkowski
Dorgan	Kennedy	Murray

The conference report was agreed to. Mr. SHELBY. I move to reconsider the vote.

Mr. BROWNBACK. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from Iowa is recognized for 15 minutes.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa has the floor.

THE NOMINATION OF BONNIE CAMPBELL

Mr. HARKIN. Mr. President, it has now been 218 days—218 days that the Judiciary Committee of the Senate has had Bonnie J. Campbell's name there and not reported her out. She has had her hearings. Her paperwork is done. Yet she sits bottled up in the Senate Judiciary Committee.

I understand that later today—or maybe early next week—there will be a unanimous consent request to bring up for consideration and pass the Violence Against Women Act. It is a very good bill, a good law, that has done a lot to help reduce domestic violence in our country.

But we have an interesting dichotomy here. There will be a line of Senators out here talking about how they are all for the Violence Against Women Act. It will go through here like greased lightning. But when it comes to the person who has been in charge of implementing the provisions of the Violence Against Women Act, the person who has been in charge of the Office of Violence Against Women since its beginning in 1995—because it was created by the Violence Against Women Act—when it comes to that person who is widely recognized all over America as the one person who has done more to implement that law than anybody else—when it comes to that person, they say, no, we are not going to let her be reported out of the Judiciary Committee. That is Bonnie Campbell.

It is all right to have the Violence Against Women Act but, no, it is not all right to have her sit on the court of appeals—the one person who knows this law intimately, the one person who has led the fight in this country against domestic violence and violence against women in general.

Bonnie Campbell has not been treated fairly by this Senate, by the Republican leadership, and by the Senate Judiciary Committee.

I have heard all the arguments—including the one that she wasn't nominated until this year. Mr. President, she was nominated in early March. She had her hearing in May. Yet the other day we reported four judges out, all of whom were nominated later than Bonnie Campbell. Three were nominated in July, had their hearing, and were reported out all in the same week. Yet Bonnie Campbell sits there, 218 days today.

It is not as if the appeals courts are full. We have 22 vacancies on the appeals courts. And we need more women serving on the appeals court. Out of 148 circuit judges, 33 are women—22 percent. Yet the Republican leadership in this Senate and on the Senate Judiciary Committee will not let Bonnie Campbell's name come out for a vote.

If somebody on the other side wants to vote against her, for whatever reason, that is their right. It is their senatorial privilege and even their responsibility, if they feel deeply about it, to do so. But I don't believe it is anyone's responsibility, nor even a right, to hold that name bottled up in committee when she is fully qualified. I have not heard one Senator say Bonnie Campbell is not qualified for this position—not one. I have heard no objections raised at all. She is supported by both the Senators from Iowa—a Republican Senator, Mr. GRASSLEY, and by me, a Democrat. So there has been strong, bipartisan support.

Again, she is a former attorney general of the State of Iowa and now head of the Violence Against Women office. Yet they won't report her name out.

Yes, they will let the Violence Against Women Act come through, and we will hear wonderful speeches about it, I am sure, from the Republican side. The House of Representatives, last week, voted for the Violence Against Women Act, 415-3. Does anybody believe they would have voted that overwhelmingly if the only person who has run that office had done a bad job and had not enforced the law fairly and equitably and brought honor to the law and the position? Absolutely not. By that 415-3 vote, they were saying Bonnie Campbell has done an outstanding job.

Mr. WELLSTONE. Will the Senator yield?

Mr. HARKIN. Yes.

Mr. WELLSTONE. I say this to the Senator from Iowa—and I wonder whether he would agree with me—I think if we had an up-or-down vote on Bonnie Campbell, it would be 100-0 or 99-1. Under the Violence Against Women Act, in terms of dramatically affecting the lives of women and their children, we would not have been able to have made a real difference without Bonnie Campbell. She is the one who made this a reality—

Mr. HARKIN. Exactly.

Mr. WELLSTONE. When it came to directly affecting their lives. If we had a vote, I think it would be 100-0 or 99-1.

Mr. HARKIN. I hadn't made that point, but yes, that is true. If we had a vote, I daresay maybe one or two may have a problem for some reason, but I think it would be overwhelming.

Mr. LEAHY. Will the Senator yield for a question?

Mr. HARKIN. Yes.

Mr. LEAHY. The Republican nominee for President, George W. Bush, has said what the Senate ought to do on all these nominees is, within 60 days, vote them up or down, but at least bring them to a vote. Would the Senator from Iowa agree with me that that is a good idea on what should be done?

Mr. HARKIN. I think that is a great idea.

Mr. LEAHY. Would he also agree with me that if Governor Bush actually means that, he ought to pick up the

phone and call the Republican leadership and say there are an awful lot of women and minorities and others who have been bottled up, as well as Bonnie Campbell, a lot longer than 60 days—I think one for more than 1,360 days—we ought to vote them up or down?

Mr. HARKIN. I agree.

Mr. LEAHY. Lastly, would the Senator from Iowa agree with me that all he wants and would be satisfied with—bring her down here, 9 o'clock in the morning, or at night, whatever, and let's have a rollcall vote? I can assure you, I have read all of her file, and I sit on the Judiciary Committee. I have gone through every bit of this. Bonnie Campbell is one of the most qualified people nominated by either a Republican or Democrat in the 25 years I have been on the Judiciary Committee.

Mr. HARKIN. I agree with the Senator from Vermont, my great friend who does an outstanding job on the Judiciary Committee. He is absolutely right. Governor Bush said we ought to have a 60-day deadline. He should pick up the phone, as my friend said, and call the Republican leadership. He is the leader of the Republican Party.

UNANIMOUS CONSENT AGREEMENT

Mr. President, I will, as I do every day, ask unanimous consent to discharge the Judiciary Committee on further consideration of the nomination of Bonnie Campbell, nominee for the Eighth Circuit Court, and that her nomination be considered by the Senate following the conclusion of action on the pending matter, and that the debate on the nomination be limited to 2 hours equally divided, and that a vote on her nomination occur immediately following the use or yielding back of that time.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HARKIN. Mr. President, I intend to make my point every day. And as you can see, an objection to bringing Bonnie Campbell's name out of the Judiciary Committee so we can have a debate and vote is made every time on the Republican side. That is who is holding this up. It is a darn shame that this is being done to a person who has led an exemplary life, done an outstanding job in public service both as attorney general of Iowa and now as head of the Violence Against Women Office in the Department of Justice. It is not right, it is not fair.

So every day that we are here I will continue to ask unanimous consent to bring her name out. Before I yield the floor, once again, I will point out that in 1992, when there was a Republican President and a Democratic Senate, 9 circuit court judges had their hearings; there were 14 nominated in 1992, during an election year, and 9 had hearings. Of all those who had hearings, they were all referred and all confirmed—one as late as October of 1992, a couple in September, and a couple were in August.

When the shoe was on the other foot, when there was a Republican President and a Democratic Senate, we had the hearings. Everyone who had a hearing during the Bush Administration got a vote in Committee. All but one got a vote on the Senate floor. Well, Bonnie Campbell had her hearing. All the paperwork is done. Yet she has been referred. Every single one was confirmed in 1992.

Well, this is the year 2000 and we have had seven circuit court judges nominated this year. One has had a hearing and was referred and was confirmed. That is one out of seven. In 1992, it was 9 out of 14. Tell me who is playing politics around this place. Tell me who wants to play politics with the circuit courts. It is not our side. It is the other side.

In 1992, as I said, we had nine circuit judges nominated and confirmed. This year, there was only one. No. 1, it is a flimsy argument to say because she was nominated this year it is too late. No. 2, it is a phony argument that, well, it is a circuit court and maybe George Bush will win the election and, therefore, we will put Republicans on there instead of somebody such as Bonnie Campbell.

In 1992, as I pointed out, when the roles were reversed, we confirmed nine circuit court judges that year. We could have said the same thing: Bill Clinton may win, so don't confirm them. But we didn't do that. I believe the right course of action to follow is to report those out, let them have a debate. If people want to vote one way or the other, that is their right.

I will continue to take this floor every day until we adjourn sine die, or whatever we do here. I will begin to use every means at my disposal to get her name out of the Judiciary Committee and make sure she is treated fairly by this Senate and that at least we have a vote.

I yield the floor.

UNANIMOUS CONSENT REQUEST—S. 3059

The PRESIDING OFFICER. The Senator from Arizona.

Mr. REID. Will the Senator yield for a unanimous consent request?

Mr. MCCAIN. I am doing a unanimous consent.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I ask unanimous consent that the majority leader, in consultation with the Democrat leader, establish a date certain and time certain for consideration of S. 3059, and that only relevant amendments to the bill be in order.

Mr. REID. Reserving the right to object, I ask the Chair, is there no time certain for the vote on the unanimous consent request?

The PRESIDING OFFICER. No time certain.

Mr. REID. I object.

Mr. MCCAIN. Could I have the reason for the objection?

Mr. REID. I say to my friend, we are very anxious to move forward on this

matter, but we want a time for the vote.

Is this your request?

Mr. MCCAIN. It is my request.

Mr. REID. I thought it was a different matter; sorry. I withdraw my objection.

Mr. SESSIONS. Mr. President, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. MCCAIN. Mr. President, before the Senator from Alabama leaves the floor, the Senator from Alabama should understand what he is doing.

This bill came out 2 weeks ago. This bill came out 2 weeks ago and there are relevant amendments that are in order. The Senator from Alabama is going to bear responsibility for our failure to act.

Mr. President, I quote to the Senator from Alabama what the Secretary of Transportation says:

More importantly, however, is expeditious action on comprehensive legislation that will strengthen NHTSA's ability to address life-threatening motor vehicle safety defects.

I tell the Senator from Alabama, if we don't act expeditiously, we will not address life-threatening motor vehicle safety defects.

The Senator from Alabama can have all the amendments he wants that are relevant, and he can have all the time he wants that is relevant. By blocking the bill, the Senator from Alabama assumes great responsibility, great responsibility. I hope he has a chance to talk to the relatives of those who have already been killed, and those who are going to be killed if this legislation is killed.

Again, I ask unanimous consent that the majority leader, in consultation with the Democrat leader, establish a date certain and a time certain for consideration of S. 3059, and only relevant amendments to the bill be in order.

For the benefit of my colleagues, that doesn't mean there is any time limit or any limits on amendments. An objection to this can only be viewed as obstructionism. I say again, expeditious action on comprehensive legislation will strengthen NHTSA's ability to address life-threatening motor vehicle safety defects.

I intend to come back to the floor in about 15 minutes and propound this unanimous consent agreement again, if there is an objection.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. I object.

Will the Senator from Arizona yield?

The PRESIDING OFFICER. The Senator from Nevada.

Mr. SESSIONS. I want to respond.

The PRESIDING OFFICER. The Senator from Nevada has the floor.

Mr. REID. How long does the Senator from Alabama desire to speak?

Mr. SESSIONS. Five minutes.

Mr. REID. The Senator from Montana has been on the floor for a long time and he wants 10 minutes; the Senator from Connecticut desires 10 min-

utes. I ask permission from the Senator from Montana to allow the Senator from Alabama to speak for 5 minutes, and I ask unanimous consent the speaking order be: the Senator from Alabama for 5 minutes; the Senator from Montana, 15 minutes; the Senator from Connecticut for 10 minutes, in that order; and following my having this consent granted, I ask that the Senators from Minnesota and from Kansas be allowed to speak for 1 minute.

Mr. BROWNBACK. At most to proffer a unanimous consent. Could we do that first?

I understand Senator DOMENICI seeks 20 minutes.

Mr. REID. I ask unanimous consent Senator DOMENICI speak for 20 minutes.

The PRESIDING OFFICER. Is there an objection?

Mr. MCCAIN. Reserving the right to object, I will want to have 10 minutes following Senator DOMENICI for the purpose of propounding another unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kansas.

Mr. BROWNBACK. This is a unanimous consent agreed to and worked out ad nauseam on both sides.

UNANIMOUS CONSENT REQUEST— H.R. 3244

Mr. BROWNBACK. Mr. President, I ask unanimous consent that at 9:30 a.m. on Wednesday the Senate proceed to the conference report to accompany H.R. 3244, the trafficking victims conference report and the conference report which has just passed the House, and be considered as having been read and considered under the following agreement for debate only: 2 hours equally divided between Senators BROWNBACK and WELLSTONE, or their designees; 3 hours under the control of the ranking member of the Judiciary committee; 1 hour under the control of Senator BIDEN; and 1 hour under the control of Senator HATCH.

I further ask consent that following the conclusion or yielding back of time, Senator THOMPSON be recognized to make a point of order against the conference report that the conference text, section 2001, regarding Aimee's law is not in the jurisdiction of the Foreign Relations committee and following the ruling by the Chair, Senator THOMPSON would appeal the Chair's ruling and that appeal be limited to the following: 1 hour under the control of Senator THOMPSON.

I further ask consent that following the use or yielding back of time, the vote relative to the appeal occur immediately on Wednesday, and if the Chair is not overturned, no other action occur and the Senate proceed to vote on adoption of the conference report, immediately, without any intervening action or debate.

Mr. LEAHY. Reserving the right to object, sometimes it is work to manu-

facture a time for a vote. I note, so there is not any confusion, and notwithstanding the fact that the conference report was sent over without people seeing it, I am perfectly happy to have the vote on this today. I am perfectly happy to go to a vote today on each of the aspects, so there will not be any question on that, and I understand that notwithstanding the fact that we can't get any other work done around here, the Republican leadership, which is their right, is going to take a few days off again, but I want to at least have this debate on the day we vote.

I commend the Senator from Kansas and the Senator from Minnesota for their work in getting us to this point. I do not object.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. I know the Senator from Arizona cares deeply about his legislation. He cares deeply about every legislative piece he pushes. I have some important legislation pending, too, and I haven't had time to debate them.

The Paul Coverdell Criminal Laboratory for Forensic bill will probably save more lives than this bill. However, I think his request is not unreasonable. I do believe the bill has problems. As a person who prosecuted for over 15 years, I do not believe in a continual blurring of the lines between what is criminal liability and civil liability.

We are talking about making crimes out of defective building of an automobile. I think we have to be careful about that. It has not gone through the Judiciary Committee. I have not had a chance to see it and I was very concerned about it. I indicated my concern to others.

As I have been briefed on this just 5 minutes ago, by my staff—they provided a memorandum which I have not had a chance to even read—I was prepared to go forward with the Senator's request and not object. However, I find that several people expected that I would be objecting who also wanted to object, and I felt I was obligated, due to that miscommunication, to file an objection.

Two hours from now I will not object if no one else does. I am prepared to debate these problems and see if we can cure these problems, but I do not feel it would be a collegial thing for me to do, when apparently it was thought that I would object, so that is why I object.

Mr. MCCAIN. Will the Senator yield to me just for a comment?

Mr. SESSIONS. I will.

Mr. MCCAIN. I thank the Senator from Alabama. I will be back in 2 hours. I want to assure him I understand those concerns, particularly on criminal sanctions. No one knows the situation better than the Senator from Alabama, who was a former attorney general of his State, who has more knowledge on those issues than I do. I want to work with the Senator from Alabama on that. That is why relevant